

# POLICEMAN FOX SUMMARILY DISMISSED FROM POSITION BY THE CITY COUNCIL.

## CHARGES OF BRUTALITY SUSTAINED BY FINDINGS

## WITHDRAWAL OF WARRING TROOPS IS TO BEGIN IMMEDIATELY

## DYNAMITE LETS LOOSE BLOWING LABORER UP

**Committee Finds from Evidence that Bentley's Arrest was False and Officer Continued to Punish Prisoner After he Begged for Mercy--Also Find Him Guilty of Using Profane and Vulgar Language in Presence of Ladies--Guilty Also of Other Misconduct.**

On recommendation of the special committee to investigate the charges against Policeman W. E. Fox presented by S. R. Bentley, the city council Friday night discharged Mr. Fox from the police force.

The findings of the committee were reported as follows: "I. That the said Walton E. Fox on August 15th, while inhumanly treating a prisoner in his charge, arrested Mr. Samuel R. Bentley for making a remark of sympathy with the prisoner; that Samuel R. Bentley was orderly, and had done nothing to justify his arrest; that the officer, by means of metal twisters on the prisoner's arm, had so twisted and bruised his arm that it was discolored, swollen and bleeding; that when the prisoner begged for mercy, the police officer paid no attention to him, but continued to punish the prisoner."

"II. That Officer Fox, in the presence of Mrs. J. S. Clark, used profane and vulgar language while on duty."

"III. That on another occasion in the presence of W. A. Wilkinson, Officer Fox by means of chain and twisters on the prisoner's arm, so wrung and twisted his arm forward that the prisoner had to walk on his toes in pain and agony."

"IV. That in the presence of Camden Sommers and Mrs. Ferrell on Main street, Officer Fox struck a prisoner whom he had under arrest a savage blow on the mouth, when the prisoner was not resisting, and when there was no excuse nor reason for so doing."

"V. That Officer Fox on one occasion, when a drunken prisoner had been hauled to the foot of the alley in a wagon and when he was helpless from drink, caught him by the feet, and dragged him backwards out of the wagon bed, letting his head and shoulders fall on the brick pavement."

"We find that the evidence shows conclusively that the said Walton E. Fox is guilty of all of the foregoing acts, and that his misconduct, brutal and inhuman acts, disqualify him from holding the office of policeman, and in the interests of decency, humanity and good government, we unanimously recommend that he be summarily dismissed as a police officer, and that he be not further employed by the municipal authorities of Clarksburg as a peace or police officer."

All the members of the council attended the session with the mayor presiding and Clerk Cole at his desk. The minutes of the previous meeting were read and approved. The ordinance changing the merry-go-round license from \$50 to \$10 a week, or fraction thereof, passed its second reading and became a law.

Chairman Hart, of the sanitation committee reported that the ordinance gave the committee no power to abate nuisances and that for that reason his committee had not abated the old Fordyce building on Sycamore street. He said it was perfectly useless. He and the breeder of all kinds of disease. He was especially anxious that it be torn down as an old vacant building was not proper so close to a school building. The matter was discussed by various members of the council at considerable length, after which the city health officer, with the assistance of the city attorney, was instructed to notify the owner, or their agents, that unless the building is put in sanitary condition at once, the city will proceed to tear it down.

The chief of police made his first report under the ordinance recently

passed. It showed fines collected for the month of August to be \$201.

Bills were then allowed as follows: Water works pay roll... \$143 25 Street pay roll... 206 30 R. & O. R. R. Co... 143 72 Williams & Davisson Co... 446 98 Alexander & Alexander... 140 00 Eureka Plumbing Co... 18 58 Clarksburg Supply Co... 21 61 Oil Well Supply Co... 113 55 John A. Hickenbotham... 7 50 Daniel Henry & Co... 315 00 Charles Fittro... 27 00 Sarah Clifford... 110 00 Alex Henderson... 12 00 Electric Light Co... 454 78 Volunteer firemen... 43 00 D. K. Reed... 11 75 Bentley witnesses... 6 00 W. Guy Merritt... 4 00 E. R. Davis & Co... 14 68 Williams & Davisson Co... 221 68 James Boyle... 70 05 B. & O. R. R. Co... 78 18 Austin-Western Co... 42 20 Lloyd Steel & Bro... 8 38 Dr. J. E. Wilson... 5 00

The report of the water committee showed that June 1 the amount on the books was \$3,510.95, of which \$3,406.06 has been collected, and \$8,432.09 paid out, leaving the water works indebted to the general fund to the amount of \$5,086.03. The report was received and filed.

The report of the city and county engineers and special committee about corners on Tom and Coal streets was received and stone corners ordered placed.

The Officer Fox matter was then taken up and disposed of, the council voting unanimously for his dismissal from the force.

Treasurer John R. Steele reported the aggregate amount of general disbursements for the past month at \$5,761.34, and water works disbursements \$2,207.41. For the same period the general receipts were \$13,954.66 and from water works \$900. The total receipts for the month amounted to \$14,854.66, and total disbursements \$7,968.75.

Saunders Brothers were granted a merry-go-round license for one week beginning Sept. 2.

A permit for a two-story frame building on Clark street was granted to W. Broadwater, and the city board of education were given permission to erect the two proposed school buildings.

Frank Duffy was granted saloon license at the corner of Fourth street and Traders alley. Kelley made a speech opposing it. Kelley and Smith voted against the license. Fainler and Robinson were granted Traders opera house license.

A petition asking for the extension of Mulberry street through the properties of E. A. Peck, Jesse Money Penny and R. A. Garrett was referred to the street committee to investigate and report.

The Stuart Improvement Company was given the privilege to widen and grade Phillip street along the company's addition at its own expense and under the direction of the street superintendent and the city engineer.

At the suggestion of Councilman Hart the council then went into executive session. The matter of certain fines was discussed and a committee consisting of J. M. Kelley, M. J. McAndrew and C. M. Hart, was appointed as a police board.

By Associated Press. Juliet, Ill., Sept. 2.—Struck by lightning several days ago the Catholic church fell down today. The loss is about \$100,000.

## CHOLERA KILLS MANY PERSONS

By Associated Press. Berlin, Germany, Sept. 2.—The Reichsanzeiger officially announced this afternoon that there were forty-three cases of cholera and seventeen deaths had occurred in Germany up to noon.

By Associated Press. Hamburg, Germany, Sept. 2.—On account of the appearance of cholera police authorities have forbidden transportation through Hamburg of Russian emigrants until further notice.

By Associated Press. Washington, D. C., Sept. 2.—The Adjutant General of the Division of the Philippines reported today by cablegram from Manila two deaths among the troops from cholera. They are Thomas M. Osborn, Eighth cavalry, and William L. Mercer, of the Fifth field battery.

By Associated Press. Thornwest, Prussia, Sept. 2.—It is officially announced that two men belonging to the 21st Infantry regiment in the barracks here are suffering from cholera. The entire regiment has been placed under observation.

## LAST SERMON FOR THE YEAR

Rev. T. S. Wade will preach his last sermon for this conference year at the Methodist Episcopal church, South, tomorrow, and will leave on Monday for the annual West Virginia conference, which will begin at Barboursville Wednesday. Dr. J. M. Carter, of this city, will also attend. Dr. Wade has been tendered the editorship of the denomination's state paper, which he formerly edited very ably and successfully.

## MUST PAY FOR EATING

Board bill jumping is becoming epidemic here, but in some instances, the cooks are enough to drive even less than an epicurean away in disgust.

The spectacle today is three men in jail awaiting trial on that charge. They are Frank Spicer, Ernest Keller and William Cross, and Justice Samuel W. Gordon will look into the cases against them.

Spicer and Keller were arrested at the instance of Mrs. McKinney and placed in jail last night. Cross was landed in jail Saturday morning. All three arrests were made by Constable Andrew Lyon.

It is charged that Spicer owes \$16.75 for his board, Keller \$8.50, and Cross \$11.50 to Mrs. Emma Jones.

All three will be tried Monday by Justice Gordon.

## Funeral of Mrs. Fleisher

The funeral services of Mrs. R. E. Fleisher, who died at her residence on Monticello avenue Friday, of tuberculosis, was held at her late residence at nine o'clock this morning. Rev. S. K. Arbuthnot officiating. The remains were shipped to Weston and interment was made in the Machpelah cemetery at that place.

## Harbert Will Probated

The will of the late Francis M. Harbert, of Wallace, was probated here Saturday. The estate real and personal is all bequeathed to his wife, Genia Harbert, and T. J. Parrish was named as executor. The will was made August 11, 1905.

By Associated Press. Portsmouth, N. H., Sept. 2.—It is expected that the treaty will be completed today. Only two articles remain to be drafted. Two calligraphers from the State department are already here to begin the work of engrossing, and everything is now indicated that the ceremony of signing the treaty can take place Tuesday at least, and possibly on Monday.

The statement of the differences over the article concerning the division of Sakhalin is fully confirmed, but arrangement mutually satisfactory has been provisionally agreed to and is expected to be finally ratified by the chief plenipotentiaries during the day.

It has been decided that Sakhalin shall not be fortified by either power. Russian troops in Manchuria will be immediately withdrawn to Harbin and the Japanese to Mukden. The subsequent withdrawal has not yet been arranged.

## MONDAY WILL BE LABOR DAY

Next Monday is Labor Day, and while it will not be generally observed by any special labor features. The different unions will probably hold meetings and make notes and statistics regarding the growth and development of trades unions.

Labor Day has come generally to be regarded as a national holiday, although, as a matter of fact it is a legal holiday by territorial legislatures. In effect, it is a national concession of one day of "pomp and circumstance" in labor's long year of dusty toil. The day has been not only almost universally recognized by the various states and territories, but in the majority of cases, the labor celebrations occur at the same time, on the first Monday in September, a symbol of the general unity of purpose of labor organizations. This concord, which has doubtless done the most to give the day its national aspect, was the result of a resolution offered by George R. Lloyd at a general assembly of the Knights of Labor at New York city in 1884, in effect that all labor parades should thereafter occur on the first Monday in September. This was before labor was accorded the honor of a holiday in any part of the country. After the passage of the resolution workmen's organizations throughout the land began agitation to induce state legislatures to make the day a legal holiday.

As Monday is the opening day of the big fair, this attraction will furnish all the entertainment desired and take the place of the usual parades, etc., that are features of the day ordinarily.

By Associated Press. Oyster Bay, Sept. 2.—President Roosevelt expects to leave for Washington Sept. 29, and will give Turpin an audience on separate days at Sagamore Hill to the Russian and Japanese envoys, the dates to be fixed to suit their convenience.

## TO ENTERTAIN THE ENVOYS

By Associated Press. Gail Ivan Hoff, the ten-year-old son of Mr. and Mrs. W. T. Hoff, died at 8:10 o'clock this morning from diphtheria. The funeral obsequies will take place at the residence of the parents in the Stealey addition at three o'clock tomorrow afternoon. Interment will be made at the I. O. O. F. cemetery.

By Associated Press. Oyster Bay, Sept. 2.—Three prisoners escaped from jail at an early hour today by sawing a bar from a window. They are O. O. Jones, former cashier of the Arlington bank; O. S. Bowman, charged with embezzlement, and an Italian charged with burglary.

## MORE RACERS ARRIVE

By Associated Press. By tomorrow morning there will be in the neighborhood of sixty head of race horses at the old fair grounds ready to take part in the three day race meet of the 39th fair. Those coming today are the strings belonging to J. B. Supler, F. R. Moore, Judge Bennett, Scott Willis, Arthur Willis and G. E. Willis, pacers and trotters. Also the runners of Ernest Cottrell and Lee Logan, of New Martinsville. When the bell rings for the opening of the races, the largest and best collection of race horses ever seen at this fair will be awaiting the word go.

## Green Under Bond

Squire John T. Flynn, at Wilkesburg Saturday, required Charles Green to enter into bond of \$100 to keep the peace. G. L. Hurst, whom Green eluded, was the complainant.

## SUNDAY HOURS AT POST OFFICE

The post office will observe Sunday hours Monday, that being a legal holiday. The carriers will make a morning delivery and the windows will be open from 9 to 11 o'clock a.m., and from 7 to 7:30 o'clock p.m.

## Funeral of Mrs. Gill

The funeral of Mrs. Thomas F. Gill was held this morning at 11:00 o'clock from the Church of the Immaculate Conception. Interment was made at Holy Cross cemetery.

## POSSE CHASING MANIAC

By Associated Press. Lorain, O., Sept. 2.—The sheriff and posse are searching for Peter Bitts, an alleged maniac, who heavily armed has been terrorizing the people several days.

He is reported surrounded in a cornfield.

It is said he tried to wreck a car on an electric road, and shot at the women and children in the car.

Pitts fired two shots at himself and died just as the posse came up to him.

## DAMAGE SUIT IS TRIED

The damage suit for \$40 brought by W. C. Burnside against the county court for injury done his buggy because of the alleged bad condition of the bridge across the West Fork river just east of Adamston several weeks ago, was tried in Justice S. W. Gordon's court Saturday forenoon. The trial was quite lengthy, there being many witnesses. Justice Gordon reserved his judgment until Monday.

## THE TRAVELERS WILL MEET

Clarksburg Council, No. 28, United Commercial Travelers, will hold a meeting in the Smith hall on West Main street at eight o'clock tonight. There will be two initiations into membership. All visiting United Travelers are invited to attend.

## BANKER ESCAPES FROM JAIL

By Associated Press. Rushville, Ind., Sept. 2.—Three prisoners escaped from jail at an early hour today by sawing a bar from a window. They are O. O. Jones, former cashier of the Arlington bank; O. S. Bowman, charged with embezzlement, and an Italian charged with burglary.

## CHILD DIES OF DIPHTHERIA AT THE STEALEY ADDITION

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**Premature Explosion Occurs on Line Being Graded for Street Cars Between Clarksburg and Fairmont, Blowing Laborer Almost to Atoms. —Is a Mass of Cuts, Burns and Bruises—Brought to Hospital Here for Treatment—May Get Well, Though Condition is Very Grave.**

## TYPHOON OCCURS AT SHANGHAI

By Associated Press. Shanghai, China, Sept. 2.—Shanghai was visited by a typhoon last night, and this morning the entire city is flooded, the water rising to the height of three feet. This is the first flood which has occurred here within the last fifty years.

## IMPROVEMENT AT THE ADDITION

The Stuart Improvement Company, who recently purchased seven and one-half acres of land for \$9,500 from T. M. Jackson, located upon the Philippi pike at the east end of the city, have begun their proposed improvements. Already a large force of men with scrapers and plows are leveling the land, laying out streets and otherwise making it ready for the market. A sewer has been laid from the road to Elk creek. When ready to be offered for sale this property will make a fine residence neighborhood and will be a valuable addition to the city.

## GRASSELLI CHURCH NEARING COMPLETION

The new Lutheran church at Grasselli is now nearing completion and is expected to be ready for dedication by the last Sunday in September or the first Sunday in October. It is being plastered now, and the work in every way is progressing nicely. The church when completed will be a beautiful little edifice and will be quite a credit to the town.

## Robbery at West End

The grocery store of John Martin at the west end, was entered by thieves last night between the hours of ten and eleven. Entrance was effected by the breaking of the front window. A quantity of groceries and some small change that was left in the money drawer was taken by the robbers. Up to the present time there is no clew whatever as to the identity of the perpetrators.

## TIN PLATE RESUMES WORK

The Tin Plate mills will resume operations in full tomorrow night at 11 p. m. The mills have been idle for one week, while necessary repairs were being made upon the boilers and cables. All the repairs are completed and the full force will be at work Monday morning.

## Dance at Union Park

The dance given by the Mulberry Street Social Club at Union park last night was a distinct social and artistic success. All of the numerous crowd expressed their pleasure at having attended. Well's orchestra furnished splendid music.

## School House Insured

The board of education of Clark district very wisely at a meeting here Saturday insured the school houses in the district. There are eight houses and \$3,800 was placed on them with Alexander & Alexander.

## No Concert Tonight

Owing to the inclement weather and the absence of some members the Elks band will be unable to give a free open air concert tonight. The band regrets this disappointment but it is unavoidable.

Dominic Panach is lying at the Kessler hospital a mass of cuts, burns and bruises that may prove fatal unless an unusually strong constitution aids the expert medical assistance he is receiving. The accident occurred on the grading of the new street car line in the neighborhood of Gypsy. Panach with a number of other Italians was engaged at the work upon the road-bed when a premature explosion of dynamite occurred. He happened to be in the immediate vicinity and received the force of the shock and the bulk of the injuries, although others of the crew were shaken up considerably. His face, lips, neck and breast are a mass of cuts and one hand was almost severed. There was danger of his bleeding to death but he received attention in time and it is thought his life will be saved. This is another proof of the fact that all engaged in the use of high grade explosives should use extreme care and caution, as nine-tenths of all accidents arising from this source are the direct result of carelessness.

## ENON CHURCH GETS ASSOCIATION

At the Broad Run Baptist Association at Murphy's creek church in Lewis county this week Rev. J. D. Simmons, of Buckhannon, was elected moderator, and C. A. Schutte, of Salem, clerk. The association will meet at Enon church near Bristol next year the Thursday and Friday before the fourth Sunday in August. The associations all over the state are changing their meeting schedule so as not to conflict.

## ELECTRICAL PYROTECHNICS

The Consolidated Telephone Company has a large force of men stringing new wires today. This morning at the corner of Main and Third streets a telephone wire became entangled with a trolley wire and instantly there was a loud report and blinding flames of electricity were darting in all directions.

Walter Shain was at work on top of one of the high poles and his hands were severely burned, almost to a crisp, and had he not been strapped to the pole he would undoubtedly have fallen off. He received medical attention and is doing nicely, but will be unable to continue his work for some time.

## LABOR DAY SERVICE WAS POSTPONED

The Labor Day service to have been held in the First Presbyterian church Sunday evening will be held the following Sunday. All who are interested in the relation of the church to the working man are invited. Special seats will be reserved for members of the labor unions.

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